AMENDED ORDER

WHEREAS, the Petitioner requested a special exception for a service garage in a B.L. zone and a variance to permit 8 parking spaces in lieu of the required 19, in accordance with Petitioner's Exhibit 1 submit-

WHEREAS, Fetitioner's request was granted subject to restrictions by the Order dated January 10, 1989;

WHEREAS, subsequent to the hearing being held and a decision being rendered, the Deputy Director of the Office of Planning submitted revised comments with respect to landscaping for the proposed project;

WHEREAS, the Zoning Commissioner has agreed to accept the revised comments and modify the Order dated January 10, 1989 accordingly;

IT IS HEREBY ORDERED by the Zoning Commissioner for Baltimore County this day of February, 1989 that the Order dated January 10, 1989 be and the same is hereby modified to include the revised comments of

posed buildings, only 8 of the required 19 parking spaces can be provid-

ed. Petitioner further testified that all requirements of Sections 502.1

and 405 of the Baltimore County Zoning Regulations (B.C.Z.R.) will be met.

cage operation would be extended to the public. Mr. Hirsch testified he

zone by special exception. It is equally clear that the proposed use

would not be detrimental to the primary uses in the vicinity. Therefore,

it must be determined if the conditions as delineated in Section 502.1 are

which would show that the proposed use met the prescribed standards and

requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner

has shown that the proposed use would be conducted without real detriment

to the neighborhood and would not adversely affect the public interest.

The facts and circumstances do not show that the proposed use at the par-

cicular location described by Petitioner's Exhibit 1 would have any ad-

verse impact above and beyond that inherently associated with such a spe-

cial exception use, irrespective of its location within the zone.

or general welfare of the locality, nor tend to create congestion in

roads, streets, or alleys therein, nor be inconsistent with the purposes

of the property's zoning classification, nor in any other way be inconsis-

The proposed use will not be detrimental to the health, safety,

Schultz v. Pritts, 432 A.2d 1319 (1981).

tent with the spirit and intent of the B.C.Z.R.

was opposed to any public service garage operation at this location.

The Protestant's main concern was that the proposed service ga-

It is clear that the B.C.Z.R. permits the use proposed in a B.L.

The Petitioner had the burden of adducing testimony and evidence

the Office of Planning dated February 1, 1989, attached hereto and made a part hereof; and,

IT IS FURTHER ORDERED that all other conditions and restrictions of the Order dated January 10, 1989 shall remain in full force and effect.

for Baltimore County

cc: Mr. Lawrence A. Kopp 4920 Hazelwood Avenue Baltimore, Md. 21206

> Mr. Ken Hirsch, President Holland Hill Improvement Association 5708 Leiden Road, Baltimore, Md. 21206

People's Counsel

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

After reviewing all of the testimony and evidence presented, it appears that the special exception and variance should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petitions for Special Exception and Zoning Variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _____day of January, 1989 that the Petition for Special Exception for a service garage in a B.L. zone and the Petition for Zoning

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines February 1, 1989 TO. Zoning Commissioner Pat Keller, Deputy Director FROM Office of Planning and Zoning

Lawrence A. Kopp SUBJECT Zoning Petition No. 89-239-A

Based upon conversations with the County Landscape Planner, the Office of Planning would like to revise its comments regarding the petitioner's request. The Office of Planning and Zoning suggests that a 3-foot buffer along the eastern side of the proposed building is adequate to accommodate landscaping and buffering. The building location as previously submitted regarding this particular setback is adequate.

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE AND ZONING VARIANCE - N/S * ZONING COMMISSIONER Hazelwood Avenue, 312' NE of the c/l of Emelia Avenue * OF BALTIMORE COUNTY (4920 Hazelwood Avenue) 14th Election District * Case No. 89-239-XA 6th Councilmanic District Lawrence A. Kopp * * * * * * * * * * Petitioner FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a service garage in a B.L. zone and a variance to permit 8 parking spaces in lieu of the required 19, as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared and testified. Also appearing on behalf of the Petition were Susan Kopp and Melvin Brechin. Appearing as a Protestant in the matter was Ken Hirsch, President of the Holland Hill Improvement Association.

Testimony indicated that the subject property, known as 4920 Hazelwood Avenue, is zoned B.L. and is currently improved with an existing building used as office space. Petitioner testified the property is currently used as the home base dispatch operation of Ted's Towing Company. The subject property was granted a special exception for a car wash and service garage operation on February 27, 1986 by the then Deputy Zoning Commissioner Jeanne M. H. Jung. Testimony indicated that Petitioner proposes constructing a new building in the rear of the property for storage and maintenance of vehicles used in connection with the towing business. Petitioner testified that on-site parking is currently provided; however, due to the size of the property and the location of the existing and pro-

Variance to permit 8 parking spaces in lieu of the required 19, in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The special exception granted herein is limited to the Petitioner only and is not transferrable. In the event the subject property is sold, transferred, or leased, a new public hearing must be held to determine the appropriateness of continuing the special exception granted.

3) Further, the special exception granted herein is limited to use of the property as a service garage for the purpose of providing a storage and repair facility for the vehicles used in conjunction with the towing business.

4) All damaged or disabled vehicles used in the operation of the towing business which may be stored on-site for maintenance and repair must be kept inside the proposed building.

5) No damaged or disabled vehicles not belonging to Ted's Towing Company shall be stored on the premises.

6) Petitioner shall comply with the landscaping requirements of the Office of Planning in accordance with their comments dated December 13, 1988, attached hereto and made a part hereof.

7) Petitioner shall submit to the Zoning Commissioner's Office for inclusion in the case file a copy of the landscaping plan prepared in accordance with that required by the Office of Planning's "Staff Exhibit A" submitted with their comments dated December 13, 1988.

8) All access to the subject property will be from Hazelwood Avenue using the Hazelwood Deli entrance.

9) All exterior lighting for the subject property shall be no higher than 10 feet above-grade and shall be directed onto the subject property and away from any neighboring residential property.

10) There shall be no outdoor paging system.

Zoning Commissioner for Baltimore County

satisfied.

Date December 13, 1988

TO Zoning Commissioner Pat Keller, Deputy Director FROM Office of Planning and Zoning

J. Robert Haines

Lawrence A. Kopp SUBJECT Zoning Petition No. 89-239-A

The applicant is requesting a special exception and variance to establish a service garage in a BL Zone and reduce the required parking spaces from 16 required to 8 being provided. In reference to this request, staff provides the following:

- A special exception for this property was previously granted on 2/27/86.
 The property was also granted a waiver of CRG meeting (W-86-56) and plan for a service garage and car wash by the Planning Board on 3/20/86. It is staff's interpretation that although the proposed site plan and use differs from the one approved, because the intensification of use and impact is less than what was originally proposed, a new CRG is not required.
- The applicant's request hinges on the demand for parking that the proposed use will generate. Parking needs will be generated by employees, vehicles to be serviced and stored vehicles. A situation should not be created that results in 1) overflow parking spilling onto Hazelwood Avenue; 2) vehicles to be serviced being parked on non-designated areas (areas not paved) and 3) prolonged storage of damanged vehicles.

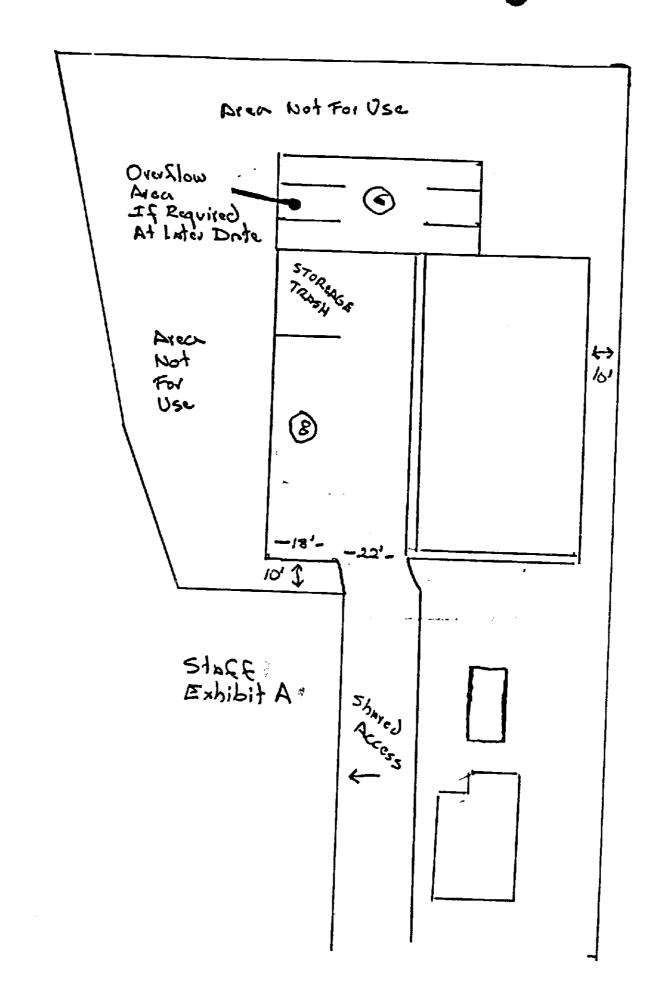
Based upon the analysis conducted and information provided, staff recommends approval of the applicant's request subject to the following conditions:

- No vehicles, goods, parts, or other items shall be stored in the areas of open space. Those areas should be clearly marked on a revised
- In the event that the Office of Planning and Zoning receives negative comments regarding vehicle storage or overflow, the applicant shall be required to expand the parking area as shown on staff Exhibit A.
- The applicant shall provide a landscape buffer of 10 feet along the eastern side of the proposed building (Staff Exhibit A).
- A ten foot landscape buffer shall also be provided between the parking area and adjoining property (Staff Exhibit A).
- The Hazelwood Deli property should be allowed access from this driveway in the event that shared access is required by the County

Lawrence A. Kopp Zoning Petition No. 89-239-A Page Two

- · Limitations on vehicle storage (time allowed), trash removal, lighting and sound should be applied to the property.
- * A landscape plan should be approved by the County Landscape Planner prior to granting approval of the project. The trash area shall be appropriately screened with fencing and landscaping.
- The special exception shall only apply to the site plan (Staff Exhibit A) as shown (use, size, location) and will not be uniformly applied to the lot.

PK/sf



Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 1949353 887-3353 J. Robert Haines Zoning Commissioner

January 10, 1989



Dennis F. Rasmussen

Mr. Lawrence A. Kopp 4920 Hazelwood Avenue Baltimore, Maryland 21206

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE N/S Hazelwood Avenue, 312' NE of Emelia Avenue (4920 Hazelwood Avenue) 14th Election District - 6th Councilmanic District Lawrence A. Kopp - Petitioner Case No. 89-239-XA

Dear Mr. Kopp:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

> Very truly yours, 1. Robert Haises ROBERT HAINES Zoning Commissioner for Baltimore County

JRH:bjs

cc: Mr. Ken Hirsch, President Holland Hill Improvement Association 5708 Leiden Road, Baltimore, Md. 21206

People's Counsel

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and needs a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for the use of a service garage in a BL zone and a variance from section 4096 to allow 16 parking spaces in lieu of the required

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

> I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s):

Lawrence A. Kopp (Type or Print Name) (Type or Print Name) Signature H. L. Jill (Type or Print Name) Attorney for Petitioner: 4920 Hazelwood Ave. 301 866-5135 (Type or Print Name) Balto., MD 21206 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted

ORDERED By The Zoning Commissioner of Baltimore County, this ______ day of _____, 19_98, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

Attorney's Telephone No.:

out Baltimore County, that property be posted, and that the public hearing be had before the Zoning County, on the _____ day of ______, 1988, at _____ o'clock

Consulting/Land Surveying

6600 Belair Road • Baltimore, Maryland 21206

(301) 485-7986

DESCRIPTION OF A PARCEL ON HAZELWOOD ROAD

Beginning for the same at a point on the north side of Hazelwood Ave, the coordinates of which are N 16049.5211 and East 25272.40 thence running for the outline of said property, along the north side of said road (1) N 65°-47'-16" W 80.33', along the north side of said road (1) N 65°-47'-16" W 80.33', along the north side of said road (1) N 65°-47'-16" W 80.33', along the north side of said road (1) N 65°-47'-16" W 80.33', along the north side of said property, thence (2) N 24°-12'-44" E 107.50' to a point thence (3) N 10°-57'-43" E 118.52' to a 49.68' to a point, thence (5) N 11°-57'-43" E 118.52' to a point, thence S 65°-47'-16" E 172.99' to a point thence ($_{\circ}$) S 24°-12'-44" W 270.00' to the place of beginning.



Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-8833 887-3353

J. Robert Haines
Zoning Commissioner Mr. Lawrence A. Kopp

4920 Hazel good Avenue Baltimore, Maryladn 21206 Re: Petition for Special Exception CASE NUMBER: 89-239-XA

NS Hazelwood Avenue, 312' NE c/l Emelia Avenue (4920 Hazelwood Avenue) .4th Election District - 6th Councilmanic Petitioner(s): Lawrence A. Kopp HEARING SCHEDULED: FRIDAY, DECEMBER 16, 1988 at 2:00 p.m.*

Please be advised that _____ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

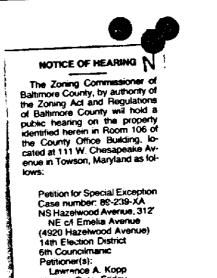
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not

Very truly yours,

J. ROBERT HAINES Zoning Commissioner of Baltimore County



Special Exception: The use of

Dennis F. Rasmussen

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Movember 23, 1988.

NORTHEAST TIMES
THE JEFFERSONIAN,

a service garage in a BL zone and a variance from section 4095A.2 to allow 8 partial spaces in lieu. to alow 8 parking and the required 19.

"IF PHASE II OF THE SNOW EMERGENCY PLAN IS IN EFFECT ON THIS DATE, CASE MAY BE RESCHEDULED. CALL 494-3391 TO CONFIRM DATE. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

na M 20467 price \$75.90

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 89-739-XA

Townson, Maryland	
strict. 14th sted for: Special Exception titioner: -awvence H. Ko	Date of Posting 11/26/88
titioner: Law vonce A. Ko	ככק
cation of property: N/3 Hozel 1000 L	Ary 3/21 NE/ Emplio Ary
H100 Hozel wood- 1740	
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roadway, on proporty of B	lition or
marks:	***************************************
sted by Military	Date of return: 12/1/88

Contract Purchaser:

City and State

6th Councilmanic Dist. LAWRENCE A. KOPP, Petitioner

Case No. 89-239-XA

:::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

Max Zunenan Peter Max Zimmerman Deputy People's Counsel Room 304, County Office Building Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 28th day of November, 1988, a copy of the foregoing Entry of Appearance was mailed to Mr. Lawrence A. Kopp, 4920 Hazelwood Ave., Baltimore, MD 21206, Petitioner.

Leter Max Zamen

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494898XXXX 887-3353 J. Robert Haines Zoning Commissioner

NOV 0 7 1988

NOTICE OF HEARING

Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exception CASE NUMBER: 89-239-XA NS Hazelwood Avenue, 312' NE c/l Emelia Avenue (4920 Hazelwood Avenue) 14th Election District - 6th Councilmanic Petitioner(s): Lawrence A. Kopp HEARING SCHEDULED: FRIDAY, DECEMBER 16, 1988 at 2:00 p.m.*

Special Exception: The use of a serive garage in a BL zone and a variance from section 4096A.2 to allow 8 parking spaces in lieu of the required

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

1. Polost fluires J. ROBERT HAINES

Zoning Commissioner of Baltimore County cc: Lawrence A. Kopp

IF PHASE II OF THE SNOW EMER-GENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY, JANUARY 12, 1989. PLEASE TELEPHONE DOCKET CLERK AT 867-3391 TO CONFIRM DATE.

Dennis F. Rasmussen

Baltimore County Zoning Commission er Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

October 24, 1988

Mr. Lawrence A. Kopp 5511 McCormick Avenue Baltimore, Maryland 21206

RE: Petitions for Special Exception and Zoning Variance 4920 Hazelwood Avenue 14th Election District Item #102

Dear Mr. Kopp:

In response to your letter dated October 18, 1988 on the abovereferenced matter, please be advised that our technicians are required to review applications relative to zoning matters to determine compliance with the regulations. In some instances, more than one review may be necessary to insure that all zoning requirements are met. If additional review is necessary or revised plans are required, it is the applicant's responsibility to prepare the necessary documents if zoning approval is

As to a hearing date for the subject petitions, please note that our normal scheduling process would place your hearing some time in mid-January, 1989. We will make every effort to see that a hearing is scheduled on this matter as soon as possible; however, there are no dates available at this time prior to December 6, 1988. By copy of this letter our Docket Clerk, Ms. Gwendolyn Stephens, will notify you in writing in the near future of the scheduled date and time for your hearing. Since you are requesting a special exception for a service garage in a B.L. zone, it is suggested you enlist the services of an attorney. You are not required

> Very truly yours, Je Robert Hines // J. ROBERT HAINES for Baltimore County

Dennis F. Rasmussen

JRH:bjs

Larry Kopp 5511 McCormick Ave.

Baltimore, Maryland 21206

RE: Petition for Special Exception and Zoning Variance

On August 5, 1988 I began the process for the above variance.

(Please refer to my letter on that date). My representative

was in your office on September 7, to file for this zoning.

He made the alterations to the drawings as requested by Mr.

Sullivan Tr. at that time, and returned them for submission

on September 14. On September 23, I received my plans and a

letter from Mr. Sullivan requesting additional changes to be

made, which I feel should have been requested at the first

meeting. I had these changes added and made a final submis-

Each time changes were made it has cost me unnecessary expense for drawings and the services of my representative,

period. I seems unfair that I have to be penalized because

As stated in my August 5, 1988 letter, it is very important

I am servicing my trucks out in the weather at present. I

understand that there are certain procedures to be followed

but I would like to request an early hearing for approval so

I may proceed with the building permit process. Thank you for

that I have this building under roof as soon as possible as

and I have lost approximately 6 weeks time in an 11 week

the reviewer missed items at the first meeting.

October 18, 1988

Baltimore County

Zoning Commissioner

Item #102

Dear Mr. Haines:

Office of Planning & Zoning

4920 Hazelwood Avenue

14th Election District

ATTN: J. Robert Haines-Zoning Commissioner

Towson, Maryland 21204

sion on October 11, 1988.

your consideration.

ZONING OFFICE

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines

September 23, 1988



Mr. Lawrence A. Kopp 4920 Hazelwood Avenue Baltimore, Maryland 21206

RE: Petition for Special Exception and Zoning Variance Item #102 4920 Hazelwood Avenue 14th Election District

Dear Mr. Kopp:

On September 7th your representative had an appointment in this office to review your petition. At this time I requested several changes and/or additions on the site plans (10 copies). The following is still needed on the site plans:

1. Distance between all buildings (existing and proposed). Dimensions and uses of all buildings.

3. Orientation, i.e. front, sides and rear of all buildings (existing and proposed).

Additionally the following information should be noted:

- 1. No parking space can be closer than 10 feet to the street right of way.
- 2. Two way parking lanes must be at least 20 feet wide. 3. Traffic flow must be shown - ingress and egress.

Enclosed are 10 copies of the site plan.

If you have any questions, please do not hesitate to

John J. Sullivan, Jr. Planning & Zoning Assoc. III

cc: File

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500 Paul H. Reincke

December 2, 1988

J. Robert Haines, Zoning Commissioner Office of Planning & Zoning Baltimore County Office Building Towson, Maryland 21204

Re: Property Owner: Lawrence A. Kopp

Location: NS Hazelwood Avenue, 315' NE of c/1 of Emelia Avenue (4920 Hazelwood Avenue) Item No.: 102 Zoning Agenda: Meeting of 10/25/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accor-dance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

O. Mille lly 12-2-11 APPROVED: Planning Group
Special Inspection Division Fire Prevention Bureau

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 9, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

4920 Hazelwood Avenue

Bureau of Department of

State Roads Commissio Bureau of

Fire Prevention Health Department Project Planning Building Departmen Board of Education Zoning Administratio Industrial Development

Lawrence A. Kopp

Baltimore, MD 21206 RE: Item No. 120; Case No. 89-239-XA Petitioner: Lawrence A. Kopp Petition for Special Exception and Zoning

Dear Mr. Kopp:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

Variance

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

JAMES E. DYER

Zoning Plans Advisory Committee

JED:scj

Enclosures cc: T&T Surveying Inc. 6600 Belair Rd. Baltimore, MD 21206

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

October 28, 1988



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 440, 58, (102) 128, 144, 145, 147, 150, 151, 153, 154, 155, 156, and 157.

Very truly yours,

Thisland & Duige Michael S. Flanigan Engineering Associate

MSF/lvw

89-239-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this

Petitioner Lawrence A. Korp Petitioner's Attorney

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

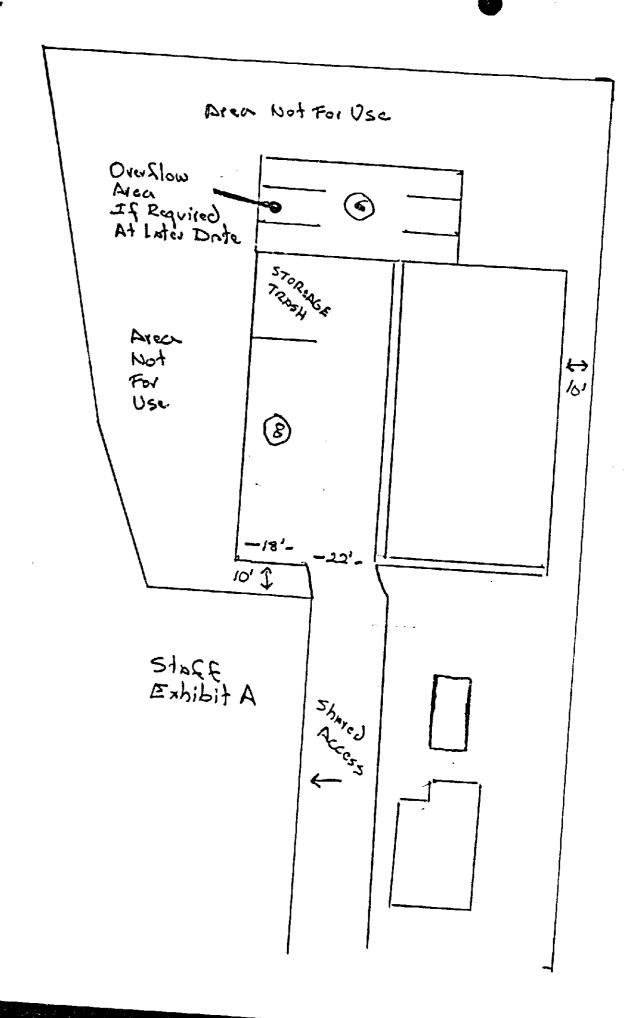
Zoning Commissioner Office of Planning and Zoning INTER-OFFICE CORRESPONDENCE County Office Building Towson, Maryland 21204 J. Robert Haines Date December 13, 1988 Zoning Item # 102, Zoning Advisory Committee Meeting of October 25,1988 TO Zoning Commissioner Property Owner: Lawrence A. Kopp

Location: 4920 Hazelwood Ave. Pat Keller, Deputy Director FROM Office of Planning and Zoning Water Supply <u>metro</u> Lawrence A. Kopp
SUBJECT Zoning Petition No. 89-239-A Sewage Disposal COMMENTS ARE AS FOLLOWS: ZONING OFFICE () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review The applicant is requesting a special exception and variance to establish a service garage in a BL Zone and reduce the required parking spaces from 16 required to Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins. 8 being provided. In reference to this request, staff provides the following: A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other A special exception for this property was previously granted on 2/27/86. The property was also granted a waiver of CRG meeting (W-86-56) and equipment or process which exhausts into the atmosphere. () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler plan for a service garage and car wash by the Planning I and on 3/20/86. operation which has a total cooking surface area of five (5) square feet or more. It is staff's interpretation that although the proposed site plan and use differs from the one approved, because the intensification of use () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the and impact is less than what was originally proposed, a new CRG is Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of not required. Health and Mental Hygiene for raview and approval. The applicant's request hinges on the demand for parking that the proposed use will generate. Parking needs will be generated by) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted employees, vehicles to be serviced and stored vehicles. A situation to the Baltimore County Department of Environmental Protection and Resource Management for review should not be created that results in 1) overflow parking spilling and approval. For more complete information, contact the Recreational Hygiene Section, Bureau onto Hazelwood Avenue; 2) vehicles to be serviced being parked on of Regional Community Services, 494-3811. non-designated areas (areas not paved) and 3) prolonged storage of () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health. damanged vehicles. () Tf lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment. Based upon the analysis conducted and information provided, staff recommends approval of the applicant's request subject to the following conditions: () Frior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775. No vehicles, goods, parts, or other items shall be stored in the areas of open space. Those areas should be clearly marked on a revised () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768. site plan. () Soil percolation tests, have been ____, must be ____, conducted.
() The results are valid until ______.
() Soil _percolation test results have expired. Petitioner should contact the Division of In the event that the Office of Planning and Zoning receives negative comments regarding vehicle storage or overflow, the applicant shall be required to expand the parking area as shown on staff Exhibit A. • The applicant shall provide a landscape buffer of 10 feet along the eastern side of the proposed building (Staff Exhibit A). A ten foot landscape buffer shall also be provided between the parking area and adjoining property (Staff Exhibit A). The Hazelwood Deli property should be allowed access from this driveway in the event that shared access is required by the County on Hazelwood Avenue. PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET PROTESTANT(S) SIGN-IN SHEET 5511 McCornick Rue Bords MD 21206 5511 McCanuck AveBordo MD 21206 MELVIN BRECHIN 3514 (ARDENINGS LES TATO HEZIZIA

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

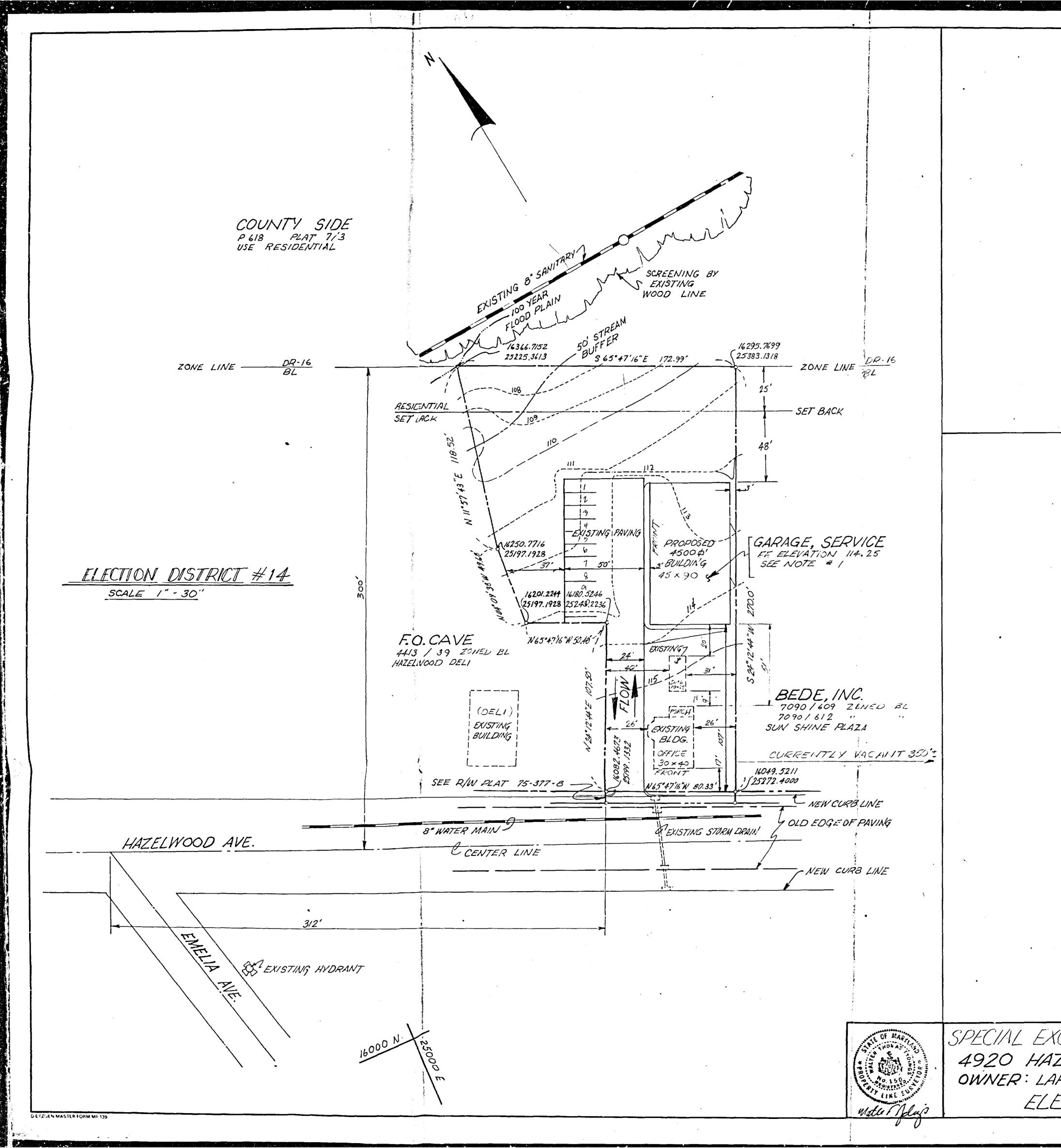
Lawrence A. Kor-Zoning Petition No. 89-239-A · Limitations on vehicle storage (time allowed), trash removal, lighting and sound should be applied to the property. A landscape plan should be approved by the County Landscape Planner prior to granting approval of the project. The trash area shall be appropriately screened with fencing and landscaping. The special exception shall only apply to the site plan (Staff Exhibit A) as shown (use, size, location) and will not be uniformly applied to the lot.

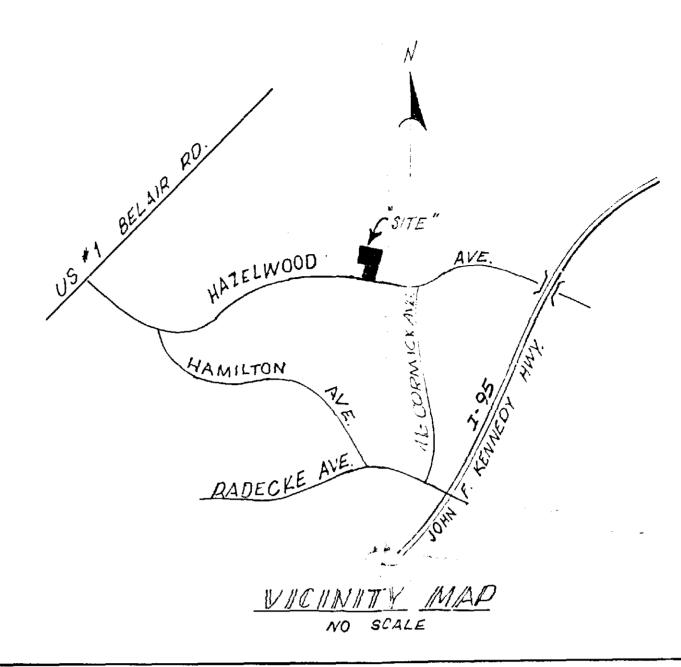
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89-239XA

BALMORE COUNTY, MARYLAND





TABULATION

5700 SF. TOTAL BUILDING AREA 4500 SF. GARAGE, SERVICE 1200 SF. OFFICES (EXISTING)

PARKING REQUIRMENT 4.500 ¢' ÷ 300 15 SPACES GARAGE , SERVICE 4 SPACES OFFICES (EXISTING) 1.200# + 300 16 8 SPACES VARIANCE REQUIRED 19 SPACES TOTAL PARKING SPACES REQUIRED 8 16 SPACES TOTAL PARKING SPACES PROVIED .774 ACRES TOTAL TRACK ZONED BL

ANNEXED TO ADJACENT PROPERTY: ROAD WIDENING TYPICAL PHRKING STAR BY 11

.025 ACRES

NOTES

- 1. SERVICE GARAGE: ALL DAMAGED PARTS AND DISASSEMBLED VECHILES TO BE HOUSED INSIDE.
- 2. EXISTING PAVING 6" of STONE BASE WITH SN 2" THICK IN 24' WIDE DRIVE WAY, AND 6" STONE BASE WITH TAR AND CHIP ON PARKING PAO.
- 3. AREA LIGHTING TO BE ATTACHED TO THE EVES OF THE NEW BUILDING AT APPROXIMATELY 14' ABOVE FINISH GRADE, TOTAL OF 4 EACH.

 LIGHTS TO BE OPERATED BY A PHOTO ELECTRIC CELL SWITCH.

REFERMINE SPECIAL EX SPECIAL EX SPECIAL CAR 110 36-321-X (Ex 10) GRANTED 27TO A FERRINA, 1985 by: Commercial J. 11 11, July

REVISED PLANS

SEALES L'YUZ

PETTONE 132 EXHIBIT 1

SPECIAL EXCEPTION & PARKING VARIANCE for; SPECIAL EXCEPTIONS PAT 4920 HAZELWOOD AVE, BALTIMORE COUNTY, MD. SCALE AS SHOWN APPROVED BY OWNER: LARRY KOPP T/A TED'S TOWING, INC. ELECTION DISTRICT No. FOURTEEN

KOPP PROPERTY CRG PLAN . TABULATION VACINITY MAP, NOTES AND REQ'D INFORMATION M. J. BRECHIN & SON, BALTO, MD 88 - 008